

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,320	09/15/2000		Gavin C. Hirst	BBI-6081CP	3710
7:	590	06/24/2002			
Giulio A Deco			EXAMINER		
Lahive & Cock 28 State Street	field LLP			KIFLE, BRUCK	
Boston, MA 02109				ART UNIT	PAPER NUMBER
				1624	10
				DATE MAILED: 06/24/2002	18

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.

09/663,320

Applicant(s)

Office Action Summary

Hirst et al.

Examiner

Bruck Kifle, Ph.D.

Art Unit 1624



	The MAILING DATE of this communication appears	on the cover sheet with the correspondence address				
	or Reply					
THE N	·	TO EXPIRE MONTH(S) FROM no event, however, may a reply be timely filed after SIX (6) MONTHS from the				
- If the p - If NO p - Failure - Any re	date of this communication. eriod for reply specified above is less than thirty (30) days, a reply within the eriod for reply is specified above, the maximum statutory period will apply at to reply within the set or extended period for reply will, by statute, cause the oly received by the Office later than three months after the mailing date of the patent term adjustment. See 37 CFR 1.704(b).	and will expire SIX (6) MONTHS from the mailing date of this communication. ne application to become ABANDONED (35 U.S.C. § 133).				
Status						
1) 💢	Responsive to communication(s) filed on May 28, 2	2002 .				
2a) 🗌	This action is FINAL . 2b) 💢 This action	ion is non-final.				
3) 🗆	Since this application is in condition for allowance e closed in accordance with the practice under Ex pair	except for formal matters, prosecution as to the merits is rte Quayle, 1935 C.D. 11; 453 O.G. 213.				
Disposit	tion of Claims					
4) 💢	Claim(s) 1-88	is/are pending in the application.				
4	a) Of the above, claim(s) 1-88	is/are withdrawn from consideration.				
5) 🗆	Claim(s)	is/are allowed.				
6) 🗆	Claim(s)	is/are rejected.				
7) 🗆	Claim(s)	is/are objected to.				
8) 🗆	Claims	are subject to restriction and/or election requirement.				
Applica	tion Papers					
9) 🗆	The specification is objected to by the Examiner.					
10)	The drawing(s) filed on is/are	a) accepted or b) objected to by the Examiner.				
	Applicant may not request that any objection to the d	frawing(s) be held in abeyance. See 37 CFR 1.85(a).				
11)	The proposed drawing correction filed on	is: a) \square approved b) \square disapproved by the Examiner.				
	If approved, corrected drawings are required in reply t	to this Office action.				
12)	The oath or declaration is objected to by the Exami	iner.				
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) 🗆	☐ All b)☐ Some* c)☐ None of:					
1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No					
	 Copies of the certified copies of the priority do application from the International Burea ee the attached detailed Office action for a list of the 	au (PCT Rule 17.2(a)).				
14) 🗀		•				
· _	_					
a) U The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.						
Attachm	-	,,				
	tice of References Cited (PTO-892)	4) Interview Summary (PTO-413) Paper No(s).				
2) 🗌 No	tice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal Patent Application (PTO-152)				
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Information Disclosure Statement(s) (PTO-1449) Paper No(s)						

Application/Control Number: 09/663,320 Page 2

Art Unit: 1624

The amendment filed on 5/28/02 canceling all subject matter drawn to the elected invention and presenting only subject matter drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the elected compound is embraced by formula 2 of claim 1.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruck Kifle whose telephone number is (703) 305-4484.

The fax phone number for this Group is (703) 308-4556 or (703) 305-3592. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1235.

June 21, 2002

Primary Examiner
Art Unit 1624